

TITLE 312 NATURAL RESOURCES COMMISSION

Proposed Rule LSA Document #12-

DIGEST

Amends 312 IAC 9-3-2, which provides general requirements and licenses for hunting deer, to remove the expiration language to continue the requirement that an individual must not take more than one (1) antlered deer during the special youth, archery, firearm, or muzzleloader seasons. Effective 30 days after filing with the Publisher.

312 IAC 9-3-2

SECTION 1: 312 IAC 9-3-2 IS AMENDED TO READ AS FOLLOWS:

312 IAC 9-3-2 General requirements and licenses for hunting deer

Authority: IC 14-10-2-4; IC 14-22-2-6

Affected: IC 14-22; IC 35-47-2

Sec. 2. (a) This section and sections 3 through 10 of this rule govern the:

- (1) hunting;
- (2) transportation; and
- (3) disposal;

of deer.

(b) Species of deer other than white-tailed deer (*Odocoileus virginianus*) are exempted from the following:

- (1) This section.
- (2) Sections 3 through 9 of this rule.

An individual who claims the exemption provided under this subsection must prove the deer is other than a white-tailed deer.

(c) The licenses identified in this section are nonexclusive. An individual may apply for one (1) or more of these licenses.

(d) Except as provided under IC 14-22-11-1 and IC 14-22-11-11, an individual must not hunt deer:

- (1) unless the individual possesses a completed and signed license authorized under this section bearing the individual's name; or
- (2) with a deer license issued to another individual.

(e) A youth hunter may take a deer during the youth deer season established in section 4(b) of this rule only if:

- (1) issued a license to hunt deer with:
 - (A) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (B) a nonresident youth deer firearms license under IC 14-22-12-1(a)(29);

- (C) a nonresident youth deer muzzleloader license under IC 14-22-12-1(a)(30);
- (D) a nonresident youth deer archery license under IC 14-22-12-1(a)(31);
- (E) a nonresident youth extra deer crossbow license under IC 14-22-12-1(a)(32);
- (F) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (G) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4);
- (H) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
- (I) an apprentice license of the types identified in clauses (A) through (F) under IC 14-22-12-1.7; or
- (2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (f) An individual may take a deer with a long bow, a recurve bow, or a compound bow during the archery season established in section 4(c) of this rule only if:
 - (1) issued a license to hunt deer by bow and arrows with:
 - (A) a resident deer archery license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);
 - (B) a nonresident deer archery license under IC 14-22-12-1(a)(17);
 - (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (D) a nonresident youth deer archery license under IC 14-22-12-1(a)(31);
 - (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
 - (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
 - (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
 - (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4);
 - (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
 - (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or
 - (2) hunting without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (g) An individual may take a deer with a crossbow during the archery season established in section 4(c) of this rule only if:
 - (1) issued a license to hunt deer with:
 - (A) a resident extra deer crossbow license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(14);
 - (B) a nonresident extra deer crossbow license under IC 14-22-12-1(a)(17);
 - (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (D) a nonresident youth extra deer crossbow license under IC 14-22-12-1(a)(31);
 - (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
 - (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
 - (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
 - (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4);
 - (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
 - (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or
 - (2) hunting without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(h) An individual may take a deer with a firearm during the firearms season established in section 4(e) of this rule only if:

(1) issued a license to hunt deer by firearms with:

- (A) a resident deer firearms license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(12);
- (B) a nonresident deer firearms license under IC 14-22-12-1(a)(15);
- (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth deer firearms license under IC 14-22-12-1(a)(29);
- (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
- (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
- (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4);
- (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
- (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or

(2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(i) An individual may take a deer with a muzzleloader during the muzzleloader season established in section 4(f) of this rule only if:

(1) issued a license to hunt deer by a muzzleloader with:

- (A) a resident deer muzzleloader license under IC 14-22-11-10(a) or IC 14-22-12-1(a)(13);
- (B) a nonresident deer muzzleloader license under IC 14-22-12-1(a)(16);
- (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth deer muzzleloader license under IC 14-22-12-1(a)(30);
- (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
- (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
- (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
- (H) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4);
- (I) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
- (J) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7; or

(2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.

(j) An individual may take a deer during the urban deer season established in section 4(d) of this rule only if:

(1) issued a license to hunt deer with:

- (A) a resident extra urban deer zone license under IC 14-22-12-1(a)(18);
- (B) a nonresident extra urban deer zone license under IC 14-22-12-1(a)(19);
- (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
- (D) a nonresident youth extra urban deer zone license under IC 14-22-12-1(a)(32);

- (E) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7;
- (F) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4); or
- (G) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
- (2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (k) An individual may take a deer during the special antlerless deer season established in section 4(h) of this rule only if:
 - (1) issued a license to hunt deer with:
 - (A) a resident extra deer bonus antlerless license under IC 14-22-12-1(a)(18);
 - (B) a nonresident extra deer bonus antlerless license under IC 14-22-12-1(a)(19);
 - (C) a resident youth consolidated hunting license under IC 14-22-11-10(b) or IC 14-22-12-1(a)(24);
 - (D) a nonresident youth extra deer bonus antlerless license under IC 14-22-12-1(a)(32);
 - (E) a resident extra deer license bundle under IC 14-22-12-1(a)(18);
 - (F) a nonresident extra deer license bundle under IC 14-22-12-1(a)(19);
 - (G) a nonresident youth extra deer license bundle under IC 14-22-12-1(a)(32);
 - (H) an apprentice license of the types identified in clauses (A) through (G) under IC 14-22-12-1.7;
 - (I) a lifetime comprehensive hunting license under IC 14-22-12-7(a)(4); or
 - (J) a lifetime comprehensive hunting and fishing license under IC 14-22-12-7(a)(5); or
 - (2) hunting deer without a license under IC 14-22-11-1 and 312 IAC 9-2-14.
- (l) An individual may take an antlerless deer in a designated county, by authority of an extra deer bonus antlerless license, only as authorized under section 4(g) and 4(h) of this rule.
- (m) An individual must, immediately upon taking a deer, record on a piece of paper the following:
 - (1) The name and address of the individual who took the deer.
 - (2) The license number (if applicable) of the individual who took the deer.
 - (3) The sex of the deer.
 - (4) The month and day the deer was taken.

The individual that takes the deer must retain possession of the completed piece of paper until the paper is attached to the deer. The piece of paper must be attached to the deer if the individual who takes the deer does not maintain direct physical control of and constant visual contact with the deer carcass.
- (n) An individual who takes a deer must cause delivery of the deer carcass to an official checking station for registration in the name of the individual who took the deer on the occurrence of the earlier of the following:
 - (1) Within forty-eight (48) hours of the taking of the deer.
 - (2) Before the deer is removed from this state.

The individual who delivers the deer carcass to an official checking station for registration must provide true and accurate information for the check station logs, including the name and license number of the individual who took the deer and the date the deer was taken.
- (o) The head of a deer must remain attached to the carcass until the tag is attached and locked at the deer checking station.

(p) After the checking station operator records the permanent seal number on the log and collects the piece of paper described in subsection (m), the operator shall give the seal to the individual. The individual must immediately affix the seal:

- (1) between a tendon and bone;
- (2) through a section of skin or flesh; or
- (3) around a branched antler;

to prevent its removal (without cutting the seal or the body part to which it is affixed). The seal must be maintained until processing of the deer begins.

(q) The checking station operator must do the following:

- (1) Accurately and legibly complete all forms provided by the department.
- (2) Make those forms available to department personnel upon request.

(r) An individual must not hunt deer except from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

(s) An individual must wear hunter orange:

- (1) in a season set forth in section 4(b), 4(e), 4(f), and 4(h) of this rule;
- (2) in that portion of the archery season set forth in section 4(c) of this rule that overlaps a season set forth in section 4(e), 4(f), and 4(h) of this rule; and
- (3) when firearms are authorized under section 8(b) of this rule.

(t) A ground blind that is:

- (1) Occupied must contain a minimum of one hundred forty-four (144) square inches of material on each side that is solid hunter orange and is visible from any direction during:
 - (A) a season set forth in section 4(b), 4(e), 4(f), and 4(h) of this rule; and
 - (B) that portion of the archery season set forth in section 4(c) of this rule that overlaps a season set forth in section 4(e), 4(f), and 4(h) of this rule.
- (2) Left unoccupied on department property must visibly bear the name and address of the owner written in the English language in a conspicuous location on the outside of the blind near the entrance.

(u) ~~Before September 1, 2012,~~ An individual must not take more than one (1) antlered deer during the **special youth, archery, firearm, and muzzleloader** seasons ~~for an annual deer license~~ **authorized in section 4 of this rule from the first day of the archery season of one calendar year through the last day of the archery season in the following calendar year.**

(v) An individual must not hunt deer with the use or aid of:

- (1) bait, which includes:
 - (A) a food that is transported and placed for consumption, including, but not limited to, piles of corn and apples placed in the field;
 - (B) a prepared solid or liquid that is manufactured and intended for consumption by livestock or wild deer, including, but not limited to, commercial baits and food supplements;
 - (C) salt; or
 - (D) mineral supplements;
- (2) snares;
- (3) dogs; or
- (4) other domesticated animals.

The use of manufactured scents and lures or similar chemical or natural attractants is not prohibited.

(w) An area is considered baited for ten (10) days after the removal of the bait and the baited soil. Hunting an area, such as an orchard, which may be attractive to deer as the result of normal agricultural activity, is not prohibited.

(x) Notwithstanding subsection (v), an individual may use dogs only while on a leash to track or trail wounded deer.

(y) Notwithstanding subsection (v), an individual may use:

- (1) donkeys;
- (2) mules; and
- (3) horses;

for transportation to and from a hunt but not while hunting.

(z) An individual must not hunt white-tailed deer possessed under the authority of a game breeder license under 312 IAC 9-10-4.

(aa) An individual may possess a handgun in accordance with IC 35-47 while hunting deer if the individual:

- (1) has a valid unlimited license to carry a handgun issued under IC 35-47-2-3;
- (2) has a valid unlimited license to carry a handgun recognized under IC 35-47-2-21(b); or
- (3) is not required to possess a license to carry a handgun under IC 35-47-2-2.

(bb) "Deer license bundle" means a multiple privilege deer license that allows an individual to take one (1) antlered deer and two (2) antlerless deer in the:

- (1) special youth;
- (2) archery;
- (3) firearms;
- (4) muzzleloader; and
- (5) special antlerless only;

seasons combined in one (1) year in accordance with the provisions in this section and sections 3 and 4 of this rule. (*Natural Resources Commission; 312 IAC 9-3-2; filed May 12, 1997, 10:00 a.m.: 20 IR 2702; filed Dec 26, 2001, 2:40 p.m.: 25 IR 1528; readopted filed Jul 28, 2003, 12:00 p.m.: 27 IR 286; filed Sep 23, 2004, 3:00 p.m.: 28 IR 536; filed May 12, 2006, 10:38 a.m.: 29 IR 3344; filed Jun 23, 2006, 2:24 p.m.: 20060719-IR-312050214FRA; errata filed Jul 21, 2006, 1:56 p.m.: 20060802-IR-312050214ACA; filed Jul 10, 2007, 2:09 p.m.: 20070808-IR-312060572FRA; readopted filed Nov 24, 2008, 11:08 a.m.: 20081210-IR-312080672RFA; filed Nov 3, 2009, 3:34 p.m.: 20091202-IR-312090044FRA; filed Dec 1, 2011, 4:01 p.m.: 20111228-IR-312110101FRA*)